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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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SCUDERI, PHILIP S

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/037,639

Applicant(s)

OSBOURNE ET AL.

Examiner

Philip S. Scuderi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15, 17, and 18-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Office action is in response to applicant's amendment filed on 05 December 2005.

#### *Claim Rejections - 35 USC § 112*

2. Examiner has withdrawn the rejections under 35 U.S.C. 112 since Applicant's amendments have overcome the rejections.

#### *Response to Arguments*

3. Applicant's arguments have been fully considered but they are not persuasive.
4. Regarding claim 15, applicant contends that Brown does not teach verifying the first format of the request message for protocol and format, as recited in claim 15. The examiner agrees that Brown is silent with respect to the verifying step. However, the claimed verifying step is inherent and therefore Brown does anticipate claim 15.
5. Brown teaches that the ROPE proxy "can receive, parse, and dispatch SOAP messages" (page 10, lines 3-6; figure 3). The parsing step reads on verifying the first format of the request message for protocol and format. If the ROPE proxy receives a message in a protocol or format that it is not programmed to parse then the message inherently cannot not be dispatched. Not dispatching messages that are in such formats or protocols can reasonably be considered verifying messages for protocol and format because invalid messages are not dispatched.
6. Regarding claim 18, applicant similarly contends that Brown does not teach a translator which checks the request messages from the client computer system for protocol and format. As

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discussed above, the ROPE proxy “can receive, parse, and dispatch SOAP messages” (page 10, lines 3-6; figure 3). Whatever module performs the parsing reads on a translator as claimed in claim 18 for the reasons discussed above in regards to claim 15.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 15, 17, 18, 20, and 22-28 are rejected under 35 U.S.C. 102(a) as being anticipated by *SOAP for Platform-Neutral Interoperability* (Kevin Brown, 9/12/2000, hereinafter “Brown”).

9. Regarding claim 15, Brown discloses a method for handling requests using a computer, the steps comprising:

- receiving a request message in a first format [fig. 3 (1)];
- verifying the first format of the request message for protocol and format [p. 10 lines 3-6];
- translating the request message from the first format to a second format [fig. 3 (1, 3), the ROPE Proxy translates procedure calls from the Client App (caption of fig. 3 lines 3-5 (last page of the reference))] into XML (i.e. a second format) [p. 10 lines 3-6, SOAP is an XML format];
- wrapping the translated message in a packet [fig. 3 (3)];
- parsing the SOAP packet to determine the operation being called [fig. 3 (4)];
- calling the operation upon a server [fig. 3 (ROPE Engine), p. 10 lines 22-24];

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- creating a SOAP response document from the response from the server [fig. 3 (7)];
- unwrapping the SOAP response document [caption of fig. 3 lines 7-8];
- converting the response from said second format to said first format [caption of fig. 3 lines 7-8];
- and
- transmitting a response message in the first format [fig. 3 (8)].

10. Regarding claim 17, Brown discloses the method applied to claim 15, wherein the step of receiving a request message further includes receiving a request message in slash format:

- wherein the step of translating the request message further includes translating the request message from slash format [p. 10 lines 3-6, messages are sent to a URL and URLs comprise slashes] to XML format [p. 10 lines 3-6, SOAP is an XML format];
- wherein the step of converting the response further includes converting the response from XML format to slash format [caption of fig. 3 lines 7-8]; and
- wherein the step of transmitting a response message further includes transmitting a response message in slash format [caption of fig. 3 lines 7-8].

11. Regarding claim 18, Brown discloses a computer system for handling requests, comprising:

- a server for receiving commands and transmitting responses [fig. 3 (ROPE Engine)];
- at least one client computer system [fig. 3 (Client App)] for transmitting request messages and receiving response messages in a first format [p. 10 lines 3-6, caption of fig. 3];
- a translator [fig. 3 (ROPE Proxy)] which checks the request messages from the client computer system for protocol and format, and translates the request messages into a second format which is a protocol and format which is understood by the server [p. 10 lines 3-6];

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- a processor [fig. 3 (IIS)] which receives the translated request messages from the translator in a second format [fig. 3 (3)], transforms the translated request messages into commands that can be understood by the server [fig. 3 (4)], calls information from the server [fig. 3 (arrow pointing from IIS to ROPE Engine)], receives responses from the server [fig. 3 (arrow pointing from ROPE Engine to IIS)], processes the responses from the server into processed response messages in the second format [fig. 3 (7)], and transmits the processed response messages to the translator in the second format [fig. 3 (7)];
- wherein the translator receives the processed response messages from the processor in the second format [fig. 3 (7)], translates the processed response messages into the first format [caption of fig. 3 lines 7-8], and transmits the translated response messages to the client computer system in the first format [fig. 3 (8)].

12. Regarding claim 20, Brown discloses the system applied to claim 18, wherein the first format is a slash format [p. 10 lines 3-6, messages are sent to a URL and URLs comprise slashes].

13. Regarding claim 22, Brown discloses the system applied to claim 18, wherein the second format is via a SOAP packet [fig. 3 (3)].

14. Regarding claim 23, Brown discloses the system applied to claim 22, wherein after the translator translates the request messages, the translator wraps the request messages in SOAP packets and transmits the SOAP packets to the processor [fig. 3 (3)].

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15. Regarding claim 24, Brown discloses the system applied to claim 22, wherein the processor wraps response messages in SOAP packets and transmits the SOAP packets to the translator [fig. 3 (7)].

16. Regarding claim 25, Brown discloses the system applied to claim 18, wherein the translator translates request messages from slash format [p. 10 lines 3-6, messages are sent to a URL and URLs comprise slashes] to XML format [p. 10 lines 3-6, SOAP is an XML format].

17. Regarding claim 26, Brown discloses the system applied to claim 18, wherein the translator receives processed response messages from the processor and translates the processed response messages from XML format to slash format [caption of fig. 3 lines 7-8].

18. Regarding claim 27, Brown discloses the system applied to claim 25, wherein after the translator translates the request messages, the translator wraps the request messages in SOAP packets and transmits the SOAP packets to the processor [fig. 3 (3)].

19. Regarding claim 28, Brown discloses the system according to claim 26, wherein the processor wraps processed response messages in SOAP packets and transmits the SOAP packets to the translator [fig. 3 (7)].

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of *Software Magazine – Newsletter* (10/11/2000, hereinafter “Software Magazine”).

22. Regarding claim 19, Brown discloses the system applied to claim 18. Brown does not disclose that the system is a computer reservation system. Nonetheless, providing a computer reservation system that supports SOAP was well known, as evidenced by Software Magazine.

23. In a similar art, Software Magazine teaches a system for providing computerized reservation systems [p. 2 lines 20-22] available over the Internet [p. 1 line 12] that support SOAP [p. 2 line 11]. Given the teachings of Software Magazine, it would have been obvious to one of ordinary skill in the art to use the SOAP toolkit architecture (Brown fig. 3) to provide computerized reservation services, thereby enabling companies to make their software assets available to business partners via the Internet [Software Magazine p. 1 lines 10-12].

24. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown.

25. Regarding claim 21, Brown discloses the system applied to claim 20, wherein the request messages are in slash format [p. 10 lines 3-6, messages are sent to a URL and URLs comprise slashes]. Brown does not expressly teach that the messages sent to URLs are transmitted using sockets. Examiner takes Official Notice that it was well known in the art that requests comprising



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URLs were often sent via TCP/IP which uses sockets (e.g. HTTP requests). It would have been obvious to send the requests as HTTP requests because this was one of the most widely used methods of requesting a URL.

### *Conclusion*

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

27. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

28. *Components Online* was cited in order to establish the date of 9/12/2000 for the Brown reference (see page 6) because Brown only discloses that the reference was available in the fall of 2000 (see the URL), which alone is not specific enough to establish that Brown is prior art.


29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 8am-5pm.

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30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

31. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PS



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